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WEDNESDAY, SEPTEMBER 6, 1922.

The Bearing of the Clayton Act.

It is apparent that such resistance on legal grounds as the strike leaders and sympathizers can offer to the Daugherty injunction is to center upon Section 20 of the Clayton act. The merits or demerits of that conspicuous example of class legislation are not now in question. Congress passed the bill containing the exemption section; it was approved by President Wilson and it became law. It remains for the Supreme Court to interpret its provisions again, as already once before in the Duplex Printing Press Company case, decided in January of last year.

Section 20 of the Federal antitrust law, known as the Clayton act, was read by Mr. Gompers on Monday to his audience in Philadelphia and by him exhibited to them as a bar to "injunctions in such a case as this."

The act provides that no court of the United States and no judge or judges thereof shall grant any "restraining order or injunction in any case between an employer and employees, or between employers and employees, or between persons employed and persons seeking employment, involving or growing out of a dispute concerning terms or conditions of employment," except under certain circumstances.

The exceptions are when such injunction or restraining order is "necessary to prevent irreparable damage to property, or to a property right, of the person making the application, for which injury there is no adequate remedy at law."

It is important to observe the exact language of the statute which Mr. Gompers and the Federation lawyers hold to be prohibitory of such injunctions, for the exact language is vital in the present case.

Section 20 then goes on to recite certain acts which cannot be prohibited or restrained by judicial order and provides that none of these specified acts shall be "considered or held to be violations of any law of the United States." The specified acts thus said to be legalized and removed from the reach of any other law of the United States are: The quitting of employment; the ceasing to perform any work or labor; the recommending, advising or persuading others by peaceful means to quit work; the presence of dissuaders at any place where the persons to be dissuaded may lawfully be for the purpose of peacefully obtaining or communicating information; the peaceful persuading of any person to work or abstain from working or from ceasing to patronize or employ any party to such dispute; the payment of strike benefits; the peaceable assembling in a lawful manner and for lawful purposes; and the doing of anything which might be done lawfully in the absence of such a dispute by any party thereto.

Here in this mass of verbiage is the amazing class legislation which strike and boycott organizers have depended upon for eight years as their passport and protection against the interference of the courts by injunction or restraining order. Section 20 of the Clayton act is bound to be the most prominent feature of the arguments of the protestants against the course adopted by the Attorney-General with President Harding's approval.

Now, without undertaking to discuss technically the force of the statute, there is one thing which any intelligent layman who reads carefully the foregoing provisions is not likely to overlook. The entire prohibition of injunctions, like the whole body of permissive specifications consequent thereupon, refers only to cases between employers and employees or employees and persons seeking employment—private parties on either side. The Government of the United States, which has obtained from Judge Wilkeson the temporary injunction and asks the court to make it permanent, is not an employer of the striking railroad shopmen. It certainly is not an employed person or in any sense a person seeking employment.

Does the Clayton act bear on this case at all? Is it concerned with the present application of the Executive

to the Judiciary any more than it would have been concerned with Attorney-General Olney's application to the courts in 1894 had the Clayton act then existed? It would be no public misfortune if Section 20 of the Federal antitrust law should go to the Supreme Court again for a further examination of its impact; and perhaps for a more comprehensive trimming even than it received at the hands of that exalted tribunal in the Duplex Printing Press case twenty months ago.

The Untried Public.

Last Friday, the eve of the triple holiday which wound up the vacation season, the local strike committee of the striking shopmen issued a warning to the public. "Stay off the railroad during the Labor Day mob," it read. "These few people who believe the optimistic statements of the executives . . . will be considerably put off if they depend on railroad travel this week end."

As it turned out, "those few people" numbered several hundred thousands. They went on their holiday trips as calmly as if they had never heard of the strike or the strikers' warning. Were they "considerably put off"? Not to an extent that any observer, either prejudiced or unbiased, could notice. It is true that some of the sections of important trains were a few minutes late, but they were not later than is usual in any three-day summer holiday.

The railroads in this part of the country lived up to the rosiest forecasts of their executives. Evidently as many engines and cars were at the public's service as the lines are ever able to marshal for the last rush of summer. Even the flood caused by the heavy rainstorm of Monday afternoon failed to tangle traffic for more than an hour or two.

It is likely that the strikers' committee knew that their warning to the public was made of whole cloth. They knew that the railroads would keep on doing business as usual. The object of the warning was to scare the public. But the public is hard to scare. Just after the Wall street bomb horror some crank warned the public that the Custom House would be blown up at noon the next day; whereupon thousands of the untried gathered at the Custom House to be "in on" the event.

The present case was milder. The public knew that the railroads were running their trains. The public knew, on the eve of the holiday, that the Government had determined to end interference with the railroads. And the public, which outnumbered all the possible organized strikers in the country in the ratio of 100 to 3, had an admirable contempt for such a warning as the shopmen's committee issued.

Sidetrack It Forever! Some idea of the immense folly of the bonus grab must be entering the heads of members of the House of Representatives. Otherwise there would be no accounting for the action of the conferees in laying the bonus bill aside until an agreement has been reached on the tariff.

All four of the House conferees voted to sidetrack the bonus, and as Senator Smoot wants to see the bonus not only delayed but killed he joined them and made the vote 5 to 3 for postponement. Senator McCumby, who was supported by the Democratic Senators, WALSH and SIMMONS, in his effort to put the bonus through ahead of the tariff bill, said that the differences between the Senate and the House on the bonus bill could be adjusted in two or three hours, while the tariff bill would take weeks.

That is true. There is no real disagreement between the bonus bills of the two houses of Congress. Each seeks to spend five billions of the public's money principally for the benefit of politicians who hope that the huge gift will see them safely through their next campaign.

Perhaps the House members of the conference committee noticed in the newspapers yesterday morning that the United States Treasury is confronted by a deficit of \$700,000,000. Perhaps the Representatives in general view with apprehension the prospect of going back to their tax ridden districts with the tidings that they have added a five billion dollar burden to the load under which Americans now stagger.

Population Forecasts.

In his recently published work, "Vital Statistics," Professor GEORGE CHANDLER WHIPPLE of Harvard University predicts a marked slowing up in our population increase. From 1790, the year of our first census, down to 1860 our increase rate remained very steadily at about 3 per cent. a year. From 1860 to 1910 the average increase maintained was 2 per cent., while in the 1910-20 decade it fell to 1.4 per cent.

The civil war at once suggests itself as explanatory of the first drop and the world war of the second, but in Professor Whipple's opinion the wars do not wholly account for the decrease. Economic and biological forces are largely responsible, and these forces, he thinks, will be increasingly repressive in decades to come.

As a matter of fact, arguments advanced indicate that economic forces alone are ultimately responsible, for the biological factor is so intimately associated with the economic as to be practically submerged in it. Economic conditions not only directly affect the marriage and birth rate but largely control immigration and emigration.

This last proposition has little bearing on present abnormal world conditions. The upheavals of the war and the disturbances following it have created a semi-panic mentality among the more or less footloose peoples of the countries most affected. But for our recent immigration restrictions this state of mind would have resulted in our being inundated with a flood of immigration utterly beyond our powers of absorption, let alone assimilation. As it is, immigration legislation has eliminated this element for the present in this country.

Professor WHIPPLE is of opinion that for the next fifty years our annual growth in numbers will not exceed 1½ per cent. a year. At that rate our population fifty years hence would be 200,000,000. Even at 1 per cent. increase per annum our population a hundred years from now would be 350,000,000. "Evidently," says Professor Whipple, "the rate some time in the near future must drop to much less than 1 per cent. a year or catastrophic wars will occur."

As illustrative of this he points out that at 1 per cent. annual increase our population in the year 2500 would reach the impressive figure of 2,110,000,000. Five hundred years from now is a long spell ahead and we need not inject its population or other problems into our present day sufficiently large and varied assortment of worries. None the less Professor Whipple's interesting computations suggest serious questions which will press for solution on Americans now living. The time for pride in mere numerical strength has gone by. It is not the quantity but the quality of our human exhibit which must concern the oncoming generations most.

Mr. Gompers and the Declaration of Independence. In the Labor Day address of the chieftain of the American Federation that authority and agitator repeated his charge that the Government of the United States, or rather the Republican Administration now responsible for the executive functions of the Government, was seeking to reestablish compulsory labor. Mr. Gompers said:

"The party of LINCOLN and the emancipation act is trying to force compulsory labor on whites and blacks."

"American citizenship must more firmly resolve to stand by the Declaration of Independence and the constitutional guarantees of the republic."

The reference to the Declaration of Independence is pertinent just now. Mr. Gompers is to be congratulated on remembering that immortal document of freedom.

"We hold these truths to be self-evident," says the American Declaration of democracy and equality under the republic's laws, "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness. To secure these rights, Governments are instituted among men."

Does Mr. Gompers really believe that the unorganized workman is not created equal to the workman who belongs to a union affiliated in the American Federation of Labor; that there are certain unalienable rights possessed by unionized labor which non-unionized labor—the overwhelming majority of labor in the United States—may not claim and enjoy; that untrammeled, unimpeded liberty in the pursuit of his chosen vocation is not the unalienable and equal right of every citizen, whether holding a union card or not?

Instead of now spouting nonsense about attempts to force compulsory labor on free and equal Americans, Mr. SAMUEL GOMPERS should turn his attention to the true significance of attempts to force compulsory idleness on free and equal Americans. A clean definition of his views on this other side of the question is desirable; for the self-evident truths recited in the American Declaration of Independence are not one-sided truths, or half truths, or truths true and relating only as to a preferred minority of our citizenship.

Europe's Wheat Crop.

Statistics of wheat production in central and eastern Europe indicate a serious condition, one which is likely to continue for some time. So far as the returns have been made for 1920 they show that the crop for that year was materially less than two-thirds the average yield before the war. The shortage is not far from 300,000,000 bushels, exclusive of the Russian export quantity, which formerly was more than 160,000,000 bushels. Since 1916 there has been no export of breadstuffs from Russia to European countries.

The loss of the export wheat from Russia, together with the shortage of the central European crop, must be regarded as a loss to the whole world. The world's wheat crop is not far from 3,500,000,000 bushels. In spite of visible supplies and indicated surpluses, practically all of it is consumed. The surplus of a fat year merely covers the deficiency of a lean year.

The shortage of the wheat crop in central and eastern Europe is a result of the war, but it is not due to military operations. It is coincident with the breaking up of the great landed estates. Elsewhere the shortage which resulted from military operations has ceased to exist.

France and Italy have nearly restored their pre-war crops, and any deficiency has been more than made

good by the increased production of Spain, Portugal and Sweden. Germany and the Danube States are producing not much more than half a normal crop. Under normal conditions the Danube States have supplied much of the wheat consumed in western Europe, competing for the market with Argentina, Canada and the United States.

The owners of the great estates in these countries grew full crops of wheat; the peasant owners of the small farms into which the estates have been divided are not growing it, and the shortage of the crop of export wheat reduces the world's supply to pretty near the famine margin. The problem of restoring a normal yield will require time to solve and the education of the peasant farmer is not the least important feature of the problem.

Our Agents Overseas. It is an old story that the United States needs better salesmen abroad, but it is one that merits repeating now just as much as it did twenty years ago. Americans have a deep pride in their manufacturing ability and business energy, and yet some of them display short-sightedness in matters of foreign trade which destroys a good part of the effectiveness of that ability and energy wherever they are applied outside the United States.

A salesman may achieve success in the territory assigned to him in the United States, and then, on the basis of his good record, he may be sent abroad and fall absolutely flat. Some of the qualities which are useful to him here may be his undoing in other countries. If he adopts a note of breezy fellowship with the merchants of the Argentine he is likely to meet with a coldly courteous dismissal. South Americans like to be punctilious in business.

JULIUS KLEIN, director of the Bureau of Foreign and Domestic Commerce, writing in the *Weekly Commerce Reports*, reminds manufacturers that the present period of readjustment in world trade is a particularly unfortunate one in which to make errors of this kind. He says that a large number of reports have reached the Department of Commerce of unwise appointments which have proved costly and even disastrous to the American manufacturers who made them.

A survey of the situation by the Department leads to certain conclusions which Mr. KLEIN recommends to the consideration of executives. First of all, manufacturers must remember that the foreign salesman has a definite responsibility not merely to the organization which sends him abroad but to all other American manufacturers and to the whole United States. He has a very real part in forming the opinion in which all of these are held by business men of other countries.

In addition to selling ability he must have good judgment, because it takes more than salesmanship to make wise decisions in the choice of foreign agencies. He must know the commodity he sells thoroughly or he is likely to get himself, his organization and his country laughed at. Tact and politeness are absolutely essential, and these should restrain him from boastfulness about himself, his organization or the United States.

He should be as thoroughly American as possible. The Department's investigation shows that men who were sent abroad under the impression that their foreign birth was in their favor were often ineffectual because upon returning to their old countries they had to pass scrutiny of their former standing. It is desirable for salesmen abroad to know the language of the countries he visits, but this is not believed to be essential. The Department's list of suggested qualifications contains many other entries, but these we have quoted are sufficient to indicate that the foreign salesman needs to be a man of more than ordinary ability and qualities.

With an ill chosen and badly trained army of foreign salesmen the United States has as much chance in the warfare of trade as it would have with an ill chosen and badly trained army in the warfare of powder and steel.

Europe's Wheat Crop. Statistics of wheat production in central and eastern Europe indicate a serious condition, one which is likely to continue for some time. So far as the returns have been made for 1920 they show that the crop for that year was materially less than two-thirds the average yield before the war. The shortage is not far from 300,000,000 bushels, exclusive of the Russian export quantity, which formerly was more than 160,000,000 bushels. Since 1916 there has been no export of breadstuffs from Russia to European countries.

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Why Exempt Labor Trusts?

One Privileged Class Not Affected by the Sherman Law.

TO THE NEW YORK HERALD: There is one very obvious answer to the question of your correspondent "Inquirer" concerning conspiracies, which, however, involves a further question of a radical nature.

The Federal anti-trust law, commonly known as the Sherman law, was enacted for the purpose of restraining trusts and preventing and punishing conspiracies and combinations in restraint of trade. But this law expressly exempted labor unions and other similar organizations from its provisions.

Thus began the formation in this country of a specially privileged class, which grew by years, has been growing most arrogant and insolent in its demands, until now it openly declares its defiance of law and Government and in effect claims to be above them. These labor organizations, as by this time must be abundantly clear even to the most shallow intelligence, are themselves trusts, and trusts of the most tyrannical, arrogant and pernicious type.

The question which arises, therefore, and which I have never yet heard answered, or even attempted to be answered, is this: What good or other reason existed at the time for the afore-said exemption of these unions? And even though a good reason may have then existed, what good reason or what other reason whatever exists now to justify the exemption of these unions?

As the exemption of these unions is a political cowardice of a majority of members of Congress now exists for not immediately repealing this exemption provision and bringing this particular exemption of these unions into line with the operation of the law?

Meanwhile, we have reason for devout thankfulness that at this time at least we have in the White House a real man with a due and conscientious regard for the duties of his office and the unselfish courage to carry them out.

GEORGE WESTERVELT.

New York, September 5.

Making Coal by a Law.

The Principle of Bonus Finance Applied to the Fuel Supply.

TO THE NEW YORK HERALD: As it seems certain that the supply of anthracite, if we get any, will be at best insufficient for the public need I venture to propose a simple remedy.

Let Congress, which is prolific in measures for the general good, immediately pass a bill providing that during this emergency a ton of coal shall consist of one thousand pounds instead of two thousand, as at present, or twenty-two hundred and forty pounds, as in the happy past.

By this legislative expedient the household which has five tons in its cellar will at once have ten tons and the supply in the hands of the coal dealer will be automatically doubled. This should satisfy the merchant's modest profit and allay popular discontent.

If the cold light of reason should be thought an unsatisfactory substitute for the warmth of the furnace I respectfully submit that it is just as practical to legislate non-existent coal into the bin to warm the average citizen as it is to legislate non-existent money into the Treasury to pay a five billion dollar bonus.

LITTLETON.

New York, September 5.

Longfellow Denied It.

Not the Author of the Poem About Mr. Finney, He Wrote.

TO THE NEW YORK HERALD: I have been interested in the letters referring to an alleged poem of Longfellow, purporting to be an eulogy of Mr. Finney when he was seven years old.

That story of Mr. Finney and his turnip is as old as Methuselah, and there is not a particle of truth in the statement representing it as a production of Mr. Longfellow's. Back in 1881, when I was the junior editor of *Our Work at Home*, a magazine at that time published by the Boston Herald, Mr. Finney and his turnip was then going the rounds of the newspapers and magazines, its authorship at that time, as now, attributed to Longfellow. I clipped it from a paper and sent it to Mr. Longfellow, asking him if he wrote it. The following is a copy of the answer I received:

"PORTLAND, July 11, 1881.
"DEAR MR. SAMPSON: I am happy to say that I never wrote the lines you sent me; that I never had a schoolmaster by the name of Finney; that I never went to a school that had a barn near it."

"These lines are the work of some wag who wishes to amuse himself at my expense. Yours truly,
"H. W. LONGFELLOW."

The above ought to be strong enough proof to dispose of the statements of your correspondents that Longfellow was the author of the twaddle attributed to him.

GEORGE SANDERSON.

New York, September 5.

The Harvest Moon.

Look at Her To-night in the Beauty of Her Fullness.

TO THE NEW YORK HERALD: September's harvest moon comes rather early this year. September 4 is Labor Day and September 5 marks the end of dog days. Then on Wednesday, September 6, we behold again the beautiful harvest moon.

It is certainly the most glorious of all moons. Looming large, it rises slowly over some pine fringed knoll. Round and white, it ascends higher and higher, like a silvery pearl set within an ebony frame. Softly it shines upon meadow and meadow brook.

Firmament suns and satellites grow dim in the placid presence of September's harvest moon. Amid its delicate light the outdoor world becomes unreal and spectral. Over dale and hill there lies a shimmering veil, a veritable fairyland. Earth and sky seem unnatural, yet everything is peaceful and everything is beautiful.

CHARLES NEVINS HOLMES.
NEWTON, Mass., September 2.

Who the Lascars Are.

Letter in the London Times.

I think the term "lascar" is somewhat misleading, for in lines trading to the East Indies it is not a word of Indian origin, as it is natives of India or other countries in the East. In the press this term "lascar" has been used for all natives, and all who do a day's labor for a few shillings.

The crews are as follows: First, the sailors or lascars; secondly, the firemen; and thirdly, the saloon crew, these latter being nearly always Gossams. I have served thirty years on a lascar crew and have always found the lascar and fireman good and brave men.

McLINDEN WILSON.

Will Take Curses From the Prayer Book

Episcopal Bishops Also Expected to Shed New Light on the Commandments.

SPECIAL DISPATCH TO THE NEW YORK HERALD. PORTLAND, Ore., Sept. 5.—Preliminary conferences of the House of Bishops, held informally and behind closed doors for the last two days, closed soon after noon today with a great deal of pre-convention work cleaned up. As three-fourths of the Bishops to sit in the general convention of the Episcopal Church, which opens here to-morrow at 10 o'clock, were present it is almost certain that their action in convention will not vary to any great extent from that taken in the conference just closed.

Just what the Bishops agreed and disagreed upon or even just what they took up is not known. However, considerable information has found its way to the outside world.

For instance, it is thought certain that the Bishops have agreed upon a considerable number of recommendations of a joint commission named in 1913 to make changes in the Book of Common Prayer, among these recommendations which it is reported the Bishops have seen in a favorable light is the one referring to the Ten Commandments and also the one which may remove or modify some of the curses quoted from the Psalms.

The idea has gone broadcast to some extent that the recommendations provided for changing the curses of the Book of Common Prayer were made by leading Bishops. They simply provide for making use of the shorter and more common curses of the Book of Common Prayer, instead of the longer and more elaborate ones of the Book of Common Prayer.

One hundred and ten Bishops have registered. On account of the great crowds and demands for seats, tickets have been distributed for the opening session. The Bishops, young and old, perceiving the venerable patriarch, jumped to their feet and gave him a welcome that would put to shame the welcome of a king.

About five hundred deputies had registered for the opening session, and more were expected. One hundred and ten Bishops have registered. On account of the great crowds and demands for seats, tickets have been distributed for the opening session. The Bishops, young and old, perceiving the venerable patriarch, jumped to their feet and gave him a welcome that would put to shame the welcome of a king.

The women's auxiliary will celebrate communion at the pre-cathedral and the Daughters of the King at St. Mark's.

LUTHERANS ELECT RESCHKE.

BRIDGEPORT, Sept. 5.—At the final session here today of the convention of the Lutheran League of New England of the Evangelical Lutheran Church, Walter Reschke of Holyoke, Mass., was elected president of the league.

John Krueher, Holyoke, secretary, and George Knud, Kingston, N. Y., treasurer.

Low Flying Seaplanes.

They Are Called a Nuisance and a Danger at Lake George.

TO THE NEW YORK HERALD: The low flying of aviators endangers great numbers of our people to-day, not only in New York City but in scattered communities throughout the country. Recently you printed a letter on this subject from E. D. Gardner, publisher of the *Advertiser* of Lake George, N. Y., a plea for all aviators and his reasoning, as understood by the majority of flying men, puts them beyond the reach of ordinary law and order.

This is particularly evident at Lake George, where I have my summer studio and where one's life is often in jeopardy because of low flying seaplanes. How dangerous such machines are has been shown in a tragic manner not far from New York City by the inexcusable killing of Gustav Kobbe, for many years the art critic of *The New York Herald*.

That seaplanes are still frequently unmanageable was demonstrated only a few days ago nearly in front of my studio when a machine instead of taking off from the water turned bottom up, breaking in two the hull of the plane and yet the aviator still defied in flying low over rowboats and canoes or in dashing with the frightful roar of unmuffled motors to within a hundred feet or so of the roofs of houses.

Property values at Lake George have been built up on the reputation the surrounding country enjoys as a place of extreme safety and security, and the enhanced values of real estate are now threatened by the reckless acts of aviators operating seaplanes at Lake George.